BARGER & WOLEN LLP 650 CALIFORNIA STREET NINTH FLOOR SAN FRANCISCO, CA 94108 (415) 434-2800 Plaintiff Oscar Rivas ("Plaintiff"), together with Defendants Metropolitan Life Insurance Company and Citigroup Long Term Disability Plan (collectively "Defendants"), by and through their counsel of record, hereby stipulate to the following:

- 1. On December 2, 2005, a Case Management Conference was held before the Court. Following the Case Management Conference, the Court issued a Case Management Order referring the case to private mediation, as agreed by the parties. The Case Management Order further ordered that the private mediation be completed by February 28, 2006.
- 2. Due to scheduling difficulties and conflicts for the parties and the mediator, the parties were unable to schedule and complete the mediation by the February 28, 2006 deadline. Currently, the parties have scheduled a mediation to take place on Wednesday, March 15, 2006 at 10:00 a.m. The parties have selected Catherine Yanni, Esq., of JAMS-ADR Services to serve as the mediator. The continuance will have no impact or affect the existing schedule set forth in the Case Management Order. As stated in the Order, the parties are required to submit briefs commencing in September 2006 with a hearing to take place on October 20, 2006.
- 3. Pending the Court's approval, the parties agree to extend the deadline to complete the private mediation of this matter to March 15, 2006.

IT IS SO STIPULATED.

Dated: January 31, 2006

BARGER & WOLEN LLP

By /s/
William Lee

Attorney for Defendants
METROPOLITAN LIFE
INSURANCE COMPANY and
LONG TERM DISABILITY PLAN
FOR BANK OF AMERICA
CORPORATION

1	Dated: Feb / 2006 SHERNOFF BYDART & DARRAS, LLP
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3	By Michael B. Horrow
4	Attorney for Plaintiff OSCAR RIVAS
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6	<u>ORDER</u>
7	For good cause showing, the Court orders that the deadline for completing the private
8	mediation be continued and extended to March 15, 2006.
9	IT IS SO ORDERED.
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11	Dated:, 2006
12	The Honorable Claudia Wilken
13	U.S. District Court Judge
14	ATES DISTRICT CO
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16	IT IS SO ORDERED
17	5 Chadiale H
18	Judge Claudia Wilken
19	Judge Clauss
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101	-3- C-05-2998 CW STIPULATION TO EXTEND DEADLINE FOR COMPLETING MEDIATION